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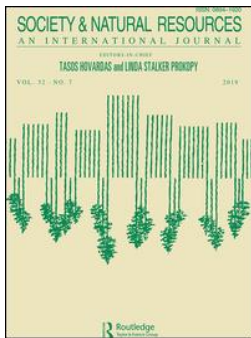
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Transmigrants Experiences of Recognitional (in)Justice in Indonesia's Environmental Impact Assessment

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ABSTRACT

This paper unpacks the environmental justice concerns of rural migrants in relation to land tenure and Environmental Impact Assessment (EIA) processes. We explore the “geography of recognition”, whereby sense of community, identity and place interact to produce unequal experiences of recognitional justice in relation to the EIA process. We develop our argument by using qualitative research and a village case study in East Kalimantan, Indonesia, involving transmigrant communities and indigenous Kutai people. This study highlights how a failure to recognize transmigrants’ identity creates barriers to their meaningful participation in the EIA. Structural flaws in the decentralized land-use system mean a failure to address the contested claims for recognition and land rights between transmigrant and indigenous communities, which in turn fuels social and environmental conflict. Resolving land tenure conflicts requires the empowerment of socially marginalized groups in the decision-making over land-use projects affecting them.

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Environmental justice; land tenure; indigenous land rights; recognition; migration; forest politics

Introduction

Environmental policy interventions often result in conflicts because they fail to recognize people’s identity and sense of community, as shaped through the places where they live (Temper et al. 2018). Such challenges of “recognitional justice” are integral to a multidimensional Environmental Justice (EJ) framework, which includes concerns of distribution, participation and recognition (Fraser 2008). Despite a burgeoning literature in this field, EJ scholarship lacks sufficient understanding of the ways in which recognition and place are co-constructed (Walker 2009), or of the diverse experiences of recognition based on identity and community (Martin et al. 2016). This paper responds to these limitations and offers empirical evidence to understand the neglected perspective – and recognition – of migrants in situations of environmental injustice.

Despite being heavily affected by conservation and development policies and practices (Kelly 2011), migrants are often overlooked with regards to their relationships with

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place (due, presumably, to an assumption that their mobility negates connection to specific locations) and their rights to natural resources. Whilst research has explored the geography of recognition in relation to indigenous peoples (e.g., Curley and Smith 2020; Ulloa 2017), migrants' experiences of environmental (in)justices are underexplored. Addressing this knowledge gap is important, because many state-initiated migration programmes have triggered land disputes, including around competing livelihood spaces and overlapping boundaries between migrants and other preexisting communities (Yelsang 2013). To further our understanding of migrants relationships with/to EJ, we use case study material from the Environmental Impact Assessment (*Analisis Mengenai Dampak Lingkungan* or AMDAL) of a palm oil project in East Kalimantan, Indonesia, in which competing claims of recognition and land rights have led to conflict between transmigrants and indigenous Kutai people. We explore how transmigrants' identity and communities relate to place, and how the recognition of such identity and community influences the transmigrants' experience of land-use decision-making processes of AMDAL.

Geographies of (Mis)Recognition

Land-use conflicts often reveal unequal power relations and social status within institutional decision making (Fraser 2000). Attention to structures, rules, norms, and other social symbols that construct and mediate social relations is therefore essential for any investigation and resolution of injustice (Young 1990, 22). Non-recognition or misrecognition can lead to the exclusion of socially vulnerable groups from institutional participation, which acts as the essential pathway for deciding how social goods are distributed in society (Fraser 2008). Simultaneously, how society distributes social goods can hamper equal recognition for those groups and their ability to participate. These ideas are rooted in the pluralistic framing of EJ that comprises three fundamental dimensions: distribution of environmental benefits and harms (distributive justice), ability to participate in decision-making (procedural justice), and recognition of distinct identities and worldviews of those involved (recognition justice). This paper highlights struggles for recognition, but it notes that people's experiences of justice take various forms, and the causes and impacts of any justice experience are intertwined with geographies of identity, community, and place, i.e., geographies of recognition.

Understanding recognition justice in land-use governance necessitates a consideration of geography for at least two reasons: first, place can shape people's lives and their identity and community (Escobar 2001); and second, recognition of identity and community can affect people's experiences, including those of justice, geographically (Walker 2009). Feminist geographers have called for decentering of liberalist perspectives of power and justice that are spatially contingent with white racial supremacy and colonialism (Oswin 2020); and recognizing that "structural oppressions within legal, immigrant, carceral or capitalist systems are maintained, reproduced, and expressed through particular places" (Mollett and Faria 2018, 567). This emphasis offers novel understandings of the relationship between geography and recognition justice, namely how place is central to social relations, and to processes of domination and oppression. Studying geographies of recognition, in the context of EJ, therefore, helps to highlight the interactions between different social groups in particular places, the socially-differentiated experiences of accessing these

places and their associated benefits, and how such geographically-defined experiences affects the recognition of people's identity and community.

The theorization of the geography of recognition, particularly in land-use governance, has focused in large part on the implications of colonialism on the oppression of indigenous people's rights (e.g., Kobayashi and De Leeuw 2010; Dunbar-Ortiz 2014). Decolonial scholars argue that misrecognition of indigenous identities, which were devalued and stigmatized during the colonial period, is constituted through the institutional promotion of education, policies, and social norms in post-colonial countries (Santos 2007). Such misrecognition of indigenous identity and community can bring psychological harm and internalize feelings or perceptions of inferiority, which can hamper the pursuit of livelihood, community survival, and other opportunities in society (Ohenjo et al. 2006). Stigmatized identities and communities also constrain people from moving and interacting equally in different places (Delaney 2002), and thereby affect people's access to place-bound resources (King 2011), or place-based environmental goods and bads (Wiedenhofer et al. 2017).

Others have sought to understand the relationships between misrecognition of indigenous people, colonialism, and migrants, including the participation of migrants in colonial systems (Saranillio 2013; Trask 2000). Decolonial scholars however still struggle to construct a theory for understanding the complicity of migration and colonialism in relation to recognitional justice (Pulido 2018). Claims of injustice in relation to resistance to eviction, and violation of customary rights, have highlighted the lack of attention given to identity and community, and the disruption of culture experienced by indigenous peoples (Curley and Smith 2020). Such cultural misrecognition linked to displacement and mobility, however, can also be experienced by other social groups who leave their homeland and move into areas where social rules are different (Etzold 2017); for example, asylum-seekers (Eckenwiler 2018) and migrant workers (Leitner, Sheppard, and Sziarto 2008).

Whilst conflicts and injustice may occur between different communities, it is equally important to note that indigenous, migrant, or other communities are not homogenous entities (Agrawal and Gibson 1999). Intra-community injustices can work based on other unequal social, economic, and political circumstances, namely the structural oppression underlying social class, gender, and poverty (Blaikie 2006). Those existing and unequal power relations within any community can lead to the domination of certain group's cultural values (often the political elites within a community) in participation procedures (Cooke and Kothari 2001), and put those already socially marginalized people in a more disadvantaged position in environmental management (Ulloa 2017). This study therefore pays attention to both the interactions between migrant and indigenous communities, and the intra-community interactions within these two groups, to understand experiences of development processes. It thus offers empirical evidence to help understand the linkage between the geography of recognition and migration in postcolonial land-use systems.

Transmigration in Indonesia and Its Relationship with AMDAL

Indonesian land-use policies have been influenced by several significant events during the 20th century. These include the Second World War between 1939 and 1945,

followed by the end of Dutch colonial government and Indonesian independence in 1945. During 22 years as President, Sukarno's anti-imperial and socialist policies had intensified ideological and physical conflicts within the country at the height of the Cold War in mid-20 century (Aspinall and Berger 2001). The Sukarno reign was then replaced by Suharto's authoritarian regime in 1965, until democratization in 1999. The influence of the colonial and authoritarian regimes and their policies, however, continue to influence land-use governance in the country's decentralized system (Nordholt and van Klinken 2007). Ambiguities around the decentralized land-use policies are coupled with issues such as weak capacity of local governments, formulaic public participation, and corruption, which are argued to have caused high deforestation rates and created land conflicts (Wollenberg, Moeliono, and Limberg 2012).

Both transmigration and AMDAL (described more fully later) have been implemented during and following the authoritarian regimes, and crucially affect the land-use system in Indonesia. Transmigration was a nationwide rural migration program aiming for more balanced demographic development, alleviating poverty, and extracting natural resources through the physical movement of communities (Whitten 1987). Financial support of the World Bank and other bilateral donors led to massive transmigration in the 1980s (Adhiati and Bobsien 2001), and the 2010 Census registered an estimated 20 million transmigrants (including their descendants) in the country (Statistics Indonesia 2010).

Conflicts emerging due to transmigration are central to understanding the country's complex natural resource use history. During the two authoritarian regimes, propaganda to boost nationalism through religion and (anti)communism fueled severe clashes between people of different political ideologies, ethnicity, religion, as well as other social identities, including those between transmigrants and indigenous people (Rabasa and Haseman 2002). With regards resource use, inadequate land-use planning of transmigration sites resulted in large-scale forest conversion to agricultural land and settlements (Darmawan, Klasen, and Nuryartono 2016). Transmigration and the associated agrarian reform came largely at the cost of indigenous peoples. The then-government had promised land and resource access to transmigrants (who were often from the overpopulated island of Java), including land ownership for each transmigrant household and the promotion of Javanese agricultural techniques and crops (Kurniawan 2017). Those allocated sites were often found to overlap with customary lands and were given to transmigrants without consent from or the provision of compensation to indigenous peoples (Colchester 1986). Many indigenous peoples were forcibly relocated to make way for transmigrant settlements and agriculture, and were submitted to "re-education" programmes. Those programmes had often degraded indigenous lifestyles as "backward," and promoted Javanese cultural values and lifestyles (Setiawan 2020). Transmigration, which was implemented by the highly centralized government dominated by Javanese and Islamic culture, had therefore been controversial to other ethnic and religious groups under the fear of "Javanization" or "Islamization" of their identities through the "import" of transmigrants (Elmhirst 2000). The demographic transformation also created tensions between different ethnic and religious groups around unequal control over economic and political resources (Rabasa and Haseman 2002).

International campaigns against transmigration in the mid-1980s mainly concerned human rights violations and the impacts of transmigration on deforestation and

customary rights (Potter 2012). The challenges facing transmigrant communities in accessing justice in land-use governance have been little discussed. Many transmigrants have struggled to improve their livelihoods under the resettlement scheme (Sage 2005), as many transmigrant households were resettled in allocated sites where the land was unsuitable for agriculture (Otten 1986). Transmigrants were also usually poor and landless laborers who could not afford to return to their homeland (Colchester 1986). International financial aid for transmigration was suspended under extensive domestic and international criticism (Survival International 1985). The 1997 financial crisis and decentralization in 1999 further reduced the national budget allocated to transmigration (Adhiati and Bobsien 2001). Although the program has lost favor in the current governance system, conflicts related to transmigration continue to emerge and raise concerns with regards equal public participation in land-use decision-making (Nurlinah, Haryanto, and Sunardi 2020). Moreover, the Indonesian government's recent plan of moving its capital from Jakarta to East Kalimantan, which overlaps partly with a transmigration site, again brings this controversial policy back into current debates of land-use governance.

As issues of participation by transmigrants emerge, many are linked to the controversial AMDAL public consultation. AMDAL is an environmental management mechanism for identifying environmental and social gains and losses from proposed development projects prior to business license granting. One of the recognition justice concerns is the lack of guidelines in identifying the communities affected by the planned development for the public participation of AMDAL (Purnama 2003). Public consultation during AMDAL often involves only business and political ruling elites, such as village heads, religious chiefs, and landowners, who do not adequately represent the voices of various local stakeholders (Lai, Staddon, and Hamilton 2021), and thus leads to communal conflicts. AMDAL is therefore widely seen as a formality instead of a meaningful participation platform (Hasan, Nahiduzzaman, and Aldosary 2018). However, AMDAL is arguably the only institutional procedure that allows public participation within the multi-scalar licensing processes of land-use projects in Indonesia, and also one of the few environmental regulations that explicitly state “justice” as one of the policy objectives (Lai and Hamilton 2020). By exploring claims of injustice within AMDAL it is hoped that opportunities can be identified for bringing about justice. The focus on AMDAL also illustrates this case study's narratives, as the interviewees tended to refer to the AMDAL process to make sense of the land conflicts and their experiences of injustice.

Study Site

We drew on a village site comprising both transmigrants and indigenous Kutai in East Kalimantan. The province has one of the highest deforestation rates in Indonesia (Wijaya et al. 2015) and is a leading resettlement destination. As of the 2010 Census (Statistics Indonesia 2010), over 30% of the population (1,159,900 out of 3,553,143) were lifetime migrants in East Kalimantan. The top three major ethnic groups, namely Javanese (29.54%), Bugis (18.26%), and Banjar (13.94%), are resettlers from Java, Sulawesi, and South Kalimantan respectively. These ethnic groups mainly live in

transmigration sites and urban areas. The fourth-largest population is the indigenous Kutai (9.21%) who inhabit Kutai Barat, Kutai Kartanegara, and Kutai Timur, where the historic Kutai Kingdom was based.

Historically, Kutai people were engaged in fishing, hunting and wild products gathering, while many have turned to more commercial fishing alongside subsistence farming nowadays. While a river serves as a waterway and the source of essential resources to sustain lives, it is symbolic to the Kutai people because they have lived alongside rivers for centuries. Conversely, Javanese and Bugis, who were mainly of agricultural origins, migrated to East Kalimantan along with their differing agriculture practices, particularly intensive crop cultivation (e.g., rice and vegetables)—demonstrating different ways of natural resource use.

Three criteria for site selection were: (1) a village comprising both Kutai inhabitants and transmigrants; (2) the village participated in the AMDAL public consultations; and (3) the AMDAL project involved is linked to deforestation (oil palm in this case). This paper has anonymized the village location, the accurate timeline of land conflicts and the research participant names for confidentiality.

The village site straddles a river of approximately 500-meter width, comprising Kutai hamlets (*dusun*) on one side and transmigration hamlets on the other side (see Supplemental Material 1). The Kutai hamlets are situated by the river, while the transmigration hamlets are three to five kilometers away from the river. The hamlets on both sides are connected through river transport. The transmigration hamlets are also connected to a town five kilometers away by road, in which essential services, such as healthcare and schools, are provided. The village office is located in one of the Kutai hamlets and serves administrative functions. The village consists of around 800 households, of which 170 transmigrant households from Java and West Nusa Tenggara arrived in the early 1990s. The demographic domination of indigenous inhabitants in this village does not represent a demographic pattern in the area, but reflects a deliberate decision to investigate justice issues facing transmigrants. The Department of Transmigration set up a transmigration site in this village in the early 1990s after gaining consent from the village opinion leaders (*tokoh-tokoh masyarakat*), including the village head, the religious chief and the customary chief. Each transmigration household received two plots of agricultural land (*Lahan Usaha*) for a total of two hectares. The first plot (LU1) was 0.75 hectares for the use of residence and family farming. The second plot (LU2) was 1.25 hectares for commercial crops, such as rubber and palm oil. The Kutai villagers had been skeptical about transmigrant's land rights since they arrived. However, the communal conflict only arose when a palm oil plantation was proposed to the village. The plantation coincided with the LU2 area, over which both transmigrants and Kutai claimed land rights. Continuous protests and negotiations have lasted over the past ten years. When the fieldwork for this study occurred, the transmigrants had filed a collective lawsuit to seek jurisdiction resolution for the overlaying land tenure.

Methodology

This study employed semi-structured interviews and focus groups with transmigrant and Kutai villagers in the study site in East Kalimantan. Participants were sampled

purposively, seeking those who could speak about their experience of participating in events related to land conflicts, such as public consultation, protests, or lawsuits. Eighteen transmigrants, two non-transmigrant resettlers, and four Kutai were involved in data collection between February and July 2018. Whilst the experiences of transmigrants was paramount for this research, two non-transmigrant resettlers participated because they were living in the transmigrant hamlets and had been involved in land tenure negotiations as the transmigrant representatives. The interviewees were from different ethnic backgrounds, including Kutai, Javanese, Lombok, and Sudanese. Nineteen of 24 interviewees were male. Although women were purposefully invited to participate in this research, few women had experience in any negotiation events. See Supplemental Material 2 for interviewee information.

The interview guide consisted of sets of open-ended questions to explore the respondents' experience of land conflicts and their perceptions of justice. The question list was based on the framework of EJ, which informs three themes of distributive justice, procedural justice, and recognitional justice. While the pre-defined questions guided the flow of conversation, attention was also paid to the interactions between actors that may inform the power relations within the village, as suggested by others (e.g., Maryudi and Fisher 2020; Blee and Taylor 2002). The questions focused on how the transmigrants perceive the geographical dimensions of their lives and how they feel they are recognized by other villagers, the palm oil company, the others involved in AMDAL. Notably, the interviewees were invited to describe their experiences of mobility and resettlement. These conversations often led to the topics concerning transmigrants' experiences of (in)justice, in relation to the oil palm project, the AMDAL process, the transmigrant's participation in or exclusion from AMDAL related events, and any impacts of the palm oil project to their life. Both interviews and focus groups followed a similar question structure, however group discussions promoted collective reflection on the processes of land conflicts and sought to examine similarities and differences of perspectives.

Data analysis was conducted through thematic coding of answers to interpret transmigrants' perspectives of EJ. The coding used a hybrid approach (Fereday and Muir-Cochrane 2006) incorporating both the deductive set of codes and the data-driven inductive process. We firstly developed a code manual consisting of the themes of EJ, the geographical dimension of the community, and the institutional approach to community through literature review. We then carefully read the data and identified themes that emerge as being important to the description of the phenomenon. The category of "Interaction setting" sought to capture the formal and informal platforms of daily natural resource use, AMDAL and land-use conflicts. The domain of "Institutional arrangement" helped capture the governance levels at which people take action or interact. The coding framework then contributed to shaping the structure of this paper, in which the results are organized accordingly. The coding themes are shown in Supplemental Material 3.

Findings

Transmigrants' perspectives of identity, community and place This section illustrates how the transmigrants interviewed perceived their identities relative to place—both their

geographical experience living in the village and in relation to mobility, and how these experiences constitute a sense of community, thereby influence the transmigrants' perspectives of recognitional justice.

The influence of the river on shaping transmigrants' sense of identity became clear as transmigrants often orientated themselves geographically relative to the river running between the Kutai hamlets and the transmigrant hamlets to make sense of their everyday experience. The following quote best illustrated the role of the river in the transmigrants' experience of resettlement, as a former hamlet head recalled his arrival in the village in the 1990s,

This hamlet looked like a forest [when we arrived]. My house was covered in grass. Alhamdulillah, if that was the house given to me, I would tidy it up. We could not believe we were going to settle here. It was harsh. But where could you go? There were no settlements on this side [of the river]. We were only informed that there were people living on the other side.

Central within the interviewee's narrative, was a shared experience among the transmigrants – the confusion of being in a strange land, gratitude for a chance to start a better life and endurance of hardship supported by religion. Notably, that narrative also revealed *where* the interviewee positioned himself mentally and geographically – transmigrants on one side of the river, their Kutai neighbors on the other.

The shared feelings of geography are not limited to the experiences of settling down in a new place, but also the experiences of leaving the homeland and in mobility. The transmigrants and migrants interviewed often initiated three topics of interest, which were the hardship in origin, the bureaucratic process of migration, and the uncertainty in travel. Similar to the experiences of many other interviewees, a 58-year old farmer described a lack of employment as the reason for migration,

I could not keep going in my homeland. Many people became thieves. If I stayed [in my homeland], I would become one of them.

The bureaucratic process of migration, which many interviewees depicted as one of their earliest experiences in interacting with governmental staff and agricultural professionals, is also critical in forming identity, and more importantly, legitimatizing their presence in the transmigrant hamlet and the village. As a transmigrant illustrated,

I had three months of agricultural training to be granted the qualification of transmigration. Not everyone can be a transmigrant; we passed a test.

Finally, going through the uncertainty in traveling to a strange place created common understanding and sympathy among the people living in the transmigrant hamlets, as the following quotes show,

I felt anxious. I had never travelled before I came here. Many other travelers were the same.

I had never heard of the name of this place. People said it was on another island. I could only imagine.

These shared experiences of resettlement, including moving from one place to another and the feelings of disorientation and uncertainty throughout have become the norms that guide people's interactions. More importantly, these experiences created the

identity as “transmigrant” shared among the residents of the transmigrant hamlets regardless of their distinct origins, ethnicities, languages and other social identities. For example, the respondents often introduced two individual migrants (i.e., self-migrated, not part of the programme) interviewed as “our people”; each of them was elected respectively to be the transmigrant hamlet head and the neighborhood block head (*rukun tetangga*), and represented the transmigrants in the conflicts negotiations. Built upon such identity, the transmigrants interviewed articulated a sense of community geographically bound to the transmigrant hamlets and the interactions between the residents of the hamlets. As the transmigrant hamlet head highlighted his sense of community linked to “place,”

I have lived in this house for 30 years—I know people in this hamlet. I like this place. I have land to farm, and I manage to feed my family. I can support my children to go to school. I have a roof over my head—my life is finally settled.

The sense of community is also constructed through the differentiation of community for which the river served as a boundary. For the Kutai who have lived alongside the river for centuries, it is an essential part of everyday life. However, on the other side of the river, the transmigrants had less physical interaction with the river due to a three to five kilometers distance between the river and their hamlets. Transmigrants, mainly farmers and subsistence laborers, used rainwater and underground water for farming and daily needs; for transportation, the transmigrants traveled mainly by road. None of the transmigrants reported owning a boat or knew any transmigrants who owned a boat in their hamlets. In a group discussion of five, a transmigrant commented,

Owning a boat is not essential for us. Most of us farm and sell the harvest to the neighboring town by road.

Consequently, the river became the geographical barrier that created social distance between the people living in the Kutai and the transmigrant hamlets. A discussion of five mothers pictured how they actively differentiated the transmigrants from their Kutai neighbors. As one of them explained her decision for child schooling,

If I sent my kid to the village school [in the Kutai hamlet], my kid might end up alone. I would instead let him ride to the school in the town with other kids [of the transmigrant hamlet]. At least they can take care of each other.

Moreover, the head of a transmigrant neighborhood block demonstrated his sense of community, showing that village boundary is not necessarily coincident with community boundary defined through identity. Particularly in this case, the river and other geographical experiences may contribute more in shaping the sense of community,

Although transmigrant and Kutai live in the same village, we are separated by the river. People who live on this side of the river [i.e., transmigrants] are more attached to other places that can be reached by roads. For example, they go to school and hospital in the town, rather than cross the river to the [Kutai] village.

These responses demonstrate the implications of geography on transmigrants’ perspectives of identity and community. The river and the distance to the river provide a boundary through which to construct identity and community. However, such a geographical boundary alone does not produce or hinder a community. This same group of people also shared common impressions of migration – e.g., “I cannot keep going in

my homeland, so I moved here,” “I am on this side of the river but not the other side, because this is the place for migrants.” Living within the same hamlets where the river serves as boundary may generate other similarities such as livelihoods and resource use. Simultaneously, the interviewees hold different ethnicities, origins and other social characteristics. Whilst the intention here is not to suggest that the community is homogeneous, the findings suggest that it is valuable to pay attention to people’s articulation of any common characteristics of what a community is.

How the geography of recognition influences the villagers’ interactions When describing the interactions between the villagers, the transmigrants often indicated how spatial segregation and disrespect for the geographical dimensions of their lives by other villagers and the palm oil company influenced their everyday experiences, particularly the access to social goods. Several examples illustrated the local interactions linked to the geography of recognition. As a homemaker described, the river was a barrier to accessing village services,

Everything is over the other side of the river—village office, clinic, school. Even mosques—we only have a half-finished one here that is shared between two hamlets!

Being separated geographically also created frustration because the transmigrants needed to put in more effort, compared to the Kutai, to access public spaces, social activities (often sponsored by the palm oil company), and village information. As a transmigrant farmer said,

Weekend markets and celebrations are held at the village square. If we wanted to join, we need to cross the river. However, we usually do not even know about anything that is happening on the other side of the river.

Additionally, the transmigrants also perceived that the standards of village service were different between the Kutai and the transmigrants hamlets. As the transmigrant hamlet head reported his experience of using boat taxis,

The problem is the differences in treatment. They [the boatmen] refuse to cross the river without five [passengers from this side of the river]. However, it is different when you take a taxi from the other side. Right after you were on board, it embarked.

Such unequal treatment is often viewed as disrespect for the transmigrants’ identity and community. For example, a transmigrant subsistence laborer claimed that the quality of village services was linked to how the palm oil company and the other villagers recognize the rights of transmigrant community,

We only have a football field in the [transmigrant] hamlet, and it is worn out. I wish the palm oil company or the village office could repair it. But neither of them cares about transmigrants.

Those local interactions are also found to be adjusted accordingly when the conditions for securing interests changed, i.e., when conflicts over resource use started to arise. As two transmigrant interviewees described the changing relationships with the customary landowners over competing interests,

Few people had objected to transmigration initially. More people started to be against us when the land became valuable. Even my Kutai friend, whom I knew for over 20 years, said, “Go back to your homeland.” It sounded like we never existed.

For how many years the transmigrants had farmed here! We came intending to be Kalimantan people, Kutai people, and the people of this village. I thought the other villagers would acknowledge our existence.

This study cannot answer questions on the unbalanced distribution of village services, including why they were arranged in such ways, whether those arrangements of services were intentionally made and by whom, and whether the decisions made on those services were under the control of the village office or the palm oil company. However, the perspectives of transmigrant interviewed are still insightful because they described some requisites for a functioning life. Three highlighted concerns are the fair distribution of public goods, equal access to the village's social and cultural life, and recognition of the geographical dimensions of the transmigrants' lives (and/or desired integration) by other villagers and the external actors (i.e. the palm oil company). The interactions in the village affected the way the transmigrants made sense of their everyday experiences; simultaneously, those experiences continued to shape the interactions. Increased market value of land and more interactions with external actors (various business offers for resource use) promoted diverse interests and conflicts over resources, which also influenced the interactions between the villagers. Factors beyond the local level can therefore alter the interactions internally between the villagers.

Transmigrants' experiences of EJ in land-use decision-making This section illustrates the village politics in which local elites (i.e., locally-elected officials, cultural leaders, and their networks) dominate the authority of making rules over resource use and rights to participate in AMDAL decision-making. Non recognition and misrecognition of transmigrants' rights by the local elites then justified the exclusion of transmigrants in the public consultation of the palm oil project and the land clearing without the transmigrants' consent.

Mirroring the struggles by many other socially marginalized groups in public participation, the transmigrants interviewed perceive their participation as a formality, with little influence, and in fact they felt actively excluded from any decision-making processes. The head of a transmigrant neighborhood block described his experience in the annual meetings with the village office,

Heads of hamlets are obliged to participate in those meetings, but it is just a waste of time. The village head rarely asked for transmigrants' opinions about anything. We just sit there and follow whatever decisions are made.

In other events, negative experiences in everyday interactions appeared to lead to the transmigrants' decisions not to raise their concerns about village affairs. As a transmigrant farmer commented on road construction in the hamlet which was executed by the village office,

The road will remain damaged as long as the village office allows heavy trucks from the oil palm company to use the road. But what can we do? If we protested, people would think we have other agendas. Let them do whatever they want.

The barriers to participation became even harder to break through, especially when it came to a highly bureaucratized process guided by pre-defined rules, such as AMDAL. The exclusion of transmigrants was highlighted throughout the AMDAL process, including public consultation (preparation of the environmental permit application—

gaining landowners' consent to the palm oil project), land acquisition/compensation (during the application—gaining written recommendation from the village head to proceed the permit application), and conflict resolutions (after the issue of the permit).

A critical challenge of equal participation among the villagers is that local elites hold unequal power in deciding who participates in and who is excluded from the AMDAL process. As a Kutai village officer described the criteria of public consultation,

An invitation letter [of public consultation] was addressed to the village head. The head chose the participants.

How the local elites recognized the interests of different social groups affected the rights to participate. A Kutai village officer who was in charge of organizing the consultation of the palm oil project reported he did not inform any transmigrants of the event and explained that,

Public consultation only involved Kutai. Transmigrants were not landowners, so they were not invited.

This information is supported by a transmigrant farmer,

I did not know anything about public consultation or the palm oil project until a digger entered my rice field.

The struggles to participate also took place in land acquisition, and the acquisition team, although independently operated from the village government, appeared to be dominated by the networks of the local elites. A member of the land acquisition team described how the team was set up and how he was recruited into the team,

The first people who the palm oil company approached were the landowners who owned bigger land areas and the opinion leaders. The team leader was initially the village head [...] I was a relative of the village head, and the head asked me to join.

This same interviewee also shared that all members of the acquisition team were Kutai and explained why the team excluded the transmigrants in the negotiations on land compensation,

Those lands did not belong to transmigrants; the local people lent them to transmigrants. We did not need to ask them when we wanted to sell.

The operation of the land acquisition team was questioned by other interviewees. A Kutai villager doubted the legitimacy of the land acquisition which only included Kutai,

The village head chose the member [of the acquisition team]. No one knows the criteria.

The transmigrant hamlet head also complained about the transparency of the land clearing operation,

No one asked transmigrants about land clearing, but the company said they had compensated for the land. We did not even know who received the compensation.

Land conflicts are not only about the competing interests over land use between different people but also about the differing power held by different actors in making rules of whose and what rights should be recognized within the village. The less powerful social group in this village, i.e., transmigrants, struggled to voice their demands in

decision making when the local political elites did not recognize their identity and community. As the head of a transmigrant hamlet said,

The land acquisition team never discussed land compensation with transmigrants. However, when we confronted them, they said we were incomers, and that we should go back to our homeland instead of complaining.

Such misrecognition by more powerful local actors structurally oppressed transmigrants' voices and led to ineffective conflict resolutions. As a transmigrant protestor complained about the reactions of the village office in response to their land rights claims,

The village office should mediate the conflicts. We had asked for their assistance several times, but they never responded. We did not have other options but to protest.

The oppression of less powerful actors and their perspectives, however, is not exclusive to the transmigrants. Some Kutai villagers interviewed also felt powerless to influence the processes and outcomes of the land-use decisions making and conflict resolutions. A Kutai villager was disappointed by misrecognition for transmigrants by the village elites,

Transmigrants were excluded in village decision-making. They were left over there [pointing the other side of the river], on their own. They were called "trans" or "incomer" although they have lived here for decades. We should not call them incomer anymore; they are our people.

Many transmigrant interviewees also highlighted that their frustrations were due to their interactions with the people involved in the AMDAL process, which should not be generalized to their experiences with their Kutai neighbors. In several circumstances, the transmigrants aligned their struggles for recognition with those of their Kutai neighbors. As two following quotes from the transmigrant interviewees said,

Transmigrants lost the land and lost livelihoods. Kutai got the compensation, but many of them still struggled to keep going. It turned out only the company benefited.

My Kutai friend apologized about the way transmigrants are treated. But what is the point? I have lost my land, and there is nothing my friend can do for me.

Failed negotiations to resolve conflicts have led to several physical clashes in the village, which escalated tensions between the Kutai and the transmigrants more broadly. As a Kutai villager described,

Transmigrants are scared of the Kutai after these conflicts. Even if the transmigrants manage to claim the land rights, it might agitate the Kutai. The situation could be worse.

The disputes in this case study illustrate the consequences of the unjust land-use system in which the least powerful social groups, including both the indigenous and the transmigrants, competed over unsecured land rights and resource use at the local level, while the benefits of development flowed elsewhere. Transmigrants' rights to participate, however, are seen to be further marginalized due to different geographical experiences, compared to their Kutai neighbors. Transmigrants' access to decision-making spaces is not purely restricted by lack of political power, but also by spatial segregation. As many interviewees explained, it was a struggle to receive information on the land deal and to actively interact with the other villagers and the decision-makers because they were

geographically separated. The exclusion of transmigrants' rights in decision-making was partly justified by the failure of integration within the village (i.e., they are/are not "our people"). Also, the geographical placing of the transmigrant community and its associated land rights were not recognized by other influential actors in decision making. Such unequal power relationships can affect people's access to decision making spaces; simultaneously, unjust geographical experiences (spatial segregation in this case) can lead to the preservation of unequal power relationships. The decentralized authority and formulaic participatory mechanism of AMDAL in turn, legitimize external actors' interests, further marginalizing the least powerful social groups, and intensifying intra-community conflicts.

Discussion

This study highlights structural flaws in the existing land-use system in Indonesia, which fails to recognize various social groups i.e., transmigrants, in decision-making. It adds to the work of others in articulating the impact of transmigration on deforestation and the disruption of indigenous territorial practices (Elmhirst 1999; Potter 2012; Rabasa and Haseman 2002; Darmawan, Klasen, and Nuryartono 2016). Matters of safety and communal violence shared by interviewees demonstrate increasing uncertainty around social and political stability fueled by perceived injustices of land-use practices. Formulaic participation in AMDAL brings harm beyond the project scope: it influences the functioning of the transmigrant community and the relationships between the transmigrants and the Kutai within the village.

Technical weaknesses in the design and implementation of participatory mechanisms in AMDAL do not fully explain the land tenure conflicts.

Disputes over contested land tenure are rooted in the flawed design of the centralized transmigration policy and the past misrecognition of indigenous land rights. Social tensions created through transmigration remain unresolved, then the suspension of transmigration left the transmigrants, i.e., the social group derived through the policy, being disoriented in seeking political representation. Struggles for recognition by the transmigrants which relate to identity, community and place, and as negotiated through local leadership, local business and government processes, raise crucial questions of geography in addressing land tenure conflicts, as others decolonial geographers have explored in different contexts (Saranillio 2013; Kobayashi and De Leeuw 2010; Coombes, Johnson, and Howitt 2012). Rights to access public services and social resources also cannot be fully realized unless issues of access to land between transmigrants and indigenous peoples are clarified. Important questions remain, such as how do policymakers and policy implementers deal with competing recognition claims based on the same geographically bound resource? While recognition is rooted in the interactions between different actors in society (Curley and Smith 2020; Oswin 2020; Mollett and Faria 2018), how do policy actors promote spatial integration and empower those who are restricted from equal access to decision-making spaces geographically?

Our findings contribute to understandings of the migrants' perspectives in relation to geographies of recognition. Work by others (Agrawal and Gibson 1999; Blaikie 2006) highlights the heterogeneity of communities and reminds researchers to think beyond

an “idealized” version of what a community is. Within the transmigrant/Kutai communities of this study, multiple identities were present, reflecting ethnicity, occupation, geographical experience and others. Any of these shared characteristics do not necessarily link to common interests over land use; it is however important to note the interconnected relations between any shared identities and claims of injustice as articulated by the interviewees. Not only is the production of identity a continuous process through everyday social interactions within places (Eckenwiler 2018; Yelsang 2013), but the land itself is a requisite to the transmigrants’ identities. Namely, transmigrants resettled in exchange for access to land. While indigenous identity and community can be closely linked to the place they live (Schlosberg and Carruthers 2010), our findings add that such geographically bound attachments also apply to migrants, although they are relatively “new” arrivals to the area. Even though transmigration was often criticized as a cause of (past) deforestation, the transmigrants interviewed resisted the (current day) palm oil project in their village. While this preference should not be generalized elsewhere, the findings suggest that community relations and people’s interactions with place affect their decisions regarding environment and development strategies. By influencing the interactions between people and between people and places, opportunities may be opened up for more responsive and sustainable ways in managing natural resources.

Understanding policies of transmigration and AMDAL is useful to illustrate how national-level political phenomena can affect local-level interactions and resources use processes. While land-use policies are continuously updated according to changing political and social needs, effects of past policies (i.e., transmigration) remain and continue to influence current day land-use practices and people’s interactions. As in this case, how do land-use policies balance and optimize the twin claims for recognition from the indigenous and transmigrant communities without marginalizing transmigrants who were abandoned by the previous national system? While the decentralization of land-use authority is on the right track, it is equally important to consider how to minimize the impacts on different social groups during the transition of policy.

Conclusion

This paper has explored the contestation over land rights between transmigrants and indigenous Kutai, as it arose in relation to the AMDAL process in East Kalimantan, Indonesia. The study explored how transmigrant identities and their communities are related to place and how non-recognition or misrecognition of such identity and community affects and shapes transmigrants’ experiences of public participation in the AMDAL process and their subsequent justice concerns.

This study contributes to understanding the justice issues in land-use governance in three ways. First, it reframes the issues of recognition justice by illustrating the experiences of migrants, an important yet overlooked social group involved and affected by environment and development policies. Second, the study shows how geographical experiences (i.e., mobility and resettlement) can shape migrants’ identities, and can affect the sense and differentiation, of communities. Finally, the study demonstrates how powerful local actors can shape the way migrants’ rights are recognized in land-use

governance. Misrecognitions of the geographical dimensions of the migrants' lives and the heterogeneity of communities are shaped through the interactions between various local-level actors, whilst such interactions are facilitated mainly by those powerful local actors. Resolving land tenure conflicts, therefore, requires attention to how different social groups articulate their concerns of recognition, including those of geography, and to involve different social groups in determining land rights and the use of natural resources.

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Authors Contribution

JL contributed the initial idea, data collection and analysis, and overview of the writing process, so is listed as first author; AH and SS are equal contributors to the writing and review of final manuscript, so are listed in alphabetical order by surname thereafter.

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